UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

PATRICIA GO	ONZALEZ and JENNIFER		
GONZALEZ,	individually and as co-administrators		
of the Estate of	FKENNY LAZO,		
	Plaintiffs,	Docket No.: CV-09- (ST)	1023
	-against-		
COUNTY OF	SUFFOLK, et al.,		
	Defendants.	X	
	VERDICT FORM	-	
Pursua	nt to Rule 49 of the Federal Rules of Civil Proce	edure, plaintiffs submit th	ne
following Propo	osed Verdict Sheet in connection with the trial o	f this action.	
	LIABILITY AND DAMA	AGES	
False Arrest:			
1.	Do you find that plaintiffs have proven by a	preponderance of the	evidence that any
of the Defenda	nts unlawfully arrested Kenny Lazo, Sr. on Apri	112, 2008?	
	JOHN NEWTON	YES	NO
	JAMES SCIMONE	YES	NO
	WILLIAM JUDGE	YES	NO

If your answer to Question 1 is "Yes" as to any defendant, you have found a verdict in plaintiffs' favor with respect to their unlawful arrest claims, and you should proceed to Question 2. If the answer to Question 1 is "No" as to each of the defendants, you have found in favor of the

CHRISTOPHER TALT

JOSEPH LINK

YES _____ NO____

YES _____ NO____

defendants on this claim. Please proceed to Question 3.

2.	What amount of damages are plaintiffs entitle	led to as a result of one	e or more of the
defendants un	lawful arrest of Kenny Lazo, Sr.?		
	\$		
Please	e proceed to Question 3.		
Excessive For	<u>rce</u>		
3.	Do you find that plaintiffs have established, by a preponderance of the evidence, that		
any of the de	efendants used excessive force in violation of	Kenny Lazo Sr.'s fede	ral constitutional
rights?			
	JOHN NEWTON	YES	NO
	JAMES SCIMONE	YES	NO
	WILLIAM JUDGE	YES	NO
	CHRISTOPHER TALT	YES	NO
	JOSEPH LINK	YES	NO
If your answer to Question 3 is "Yes" as to any defendant, you have found a verdict in			
plaintiffs' favor with respect to their excessive force claims, and you should proceed to Question 4.			
If the answer to Question 3 is "No" as to each of the defendants, you have found in favor of the			
defendants on this claim. Please proceed to Question 5			
Failure to Intervene			
4.	4. Do you find that plaintiffs have proven by a preponderance of the evidence that any		
Defendant, although having a realistic opportunity to do so, failed to intervene to prevent another			

Defendant from violating Kenny Lazo, Sr.'s constitutional rights?

	JOHN NEWTON	YES	NO
	JAMES SCIMONE	YES	NO
	WILLIAM JUDGE	YES	NO
	CHRISTOPHER TALT	YES	NO
	JOSEPH LINK	YES	NO
If you	have answered "Yes to Question 3 a	nd/or Question 4 " as to	any defendant, please
proceed to Qu	estion 5.		
5.	What amount of damages have p	laintiffs established that Ko	enny Lazo, Sr. or they
have sustained	as a result of one or more of the	defendants having used ex	cessive force during the
course of Mr.	Lazo's arrest?		
\$	physical injuries		
\$	mental suffering, emotional	distress and psychological	injury damages
\$	loss of enjoyment of life		
\$	loss of earnings		
\$	funeral and burial expenses	S	
If you	answered "Yes" to Questions 1, 3	and/or 4, as to any defend	dant please proceed to
Question 6.			
6.	Do you find that Plaintiffs have pro	oven by a preponderance	of the evidence that the
conduct of su	uch Defendant(s) resulted from a cus	tom, pattern, policy, or pr	ractice of the County of
Suffolk?			
	YES NO	_	
Regard	lless of your answer to Ouestion 6. pl	ease proceed to Question 7	7

	7.	Do you find that Plaintiffs have proven by a	preponderance of t	he evidence that
Kenny Lazo was subjected to Wrongful Death by any of the Defendants?				
		JOHN NEWTON	YES	NO
		JAMES SCIMONE	YES	NO
		WILLIAM JUDGE	YES	NO
		CHRISTOPHER TALT	YES	NO
		JOSEPH LINK	YES	NO
		COUNTY OF SUFFOLK	YES	NO
	Regard	dless of your answer to Question 7, please proce	eed to Question 8.	
	8.	Do you find that Plaintiffs have proven by a preponderance of the evidence that		
one or	more o	f the defendants subjected Kenny Lazo, Sr. to a	Battery?	
		JOHN NEWTON	YES	NO
		JAMES SCIMONE	YES	NO
		WILLIAM JUDGE	YES	NO
		CHRISTOPHER TALT	YES	NO
		JOSEPH LINK	YES	NO
		COUNTY OF SUFFOLK	YES	NO
If you have answered "Yes" to Questions 1, 3, 4, 7 or 8, please Proceed to Question 10. If				
you have answered "No" to Questions 1, 3, 4, 7 or 8, please proceed to Question 9.				
	9.	Do you find that Plaintiffs have established by a preponderance of the evidence		
that one	that one or more of the defendants were negligent?			
		JOHN NEWTON	YES	NO

If you have answered "Yes" to Questions 1, 3, 4, 7 or 8, please Proceed to Question 10. you have answered "No" to Questions 1, 3, 4, 7, 8 or 9, you have found a verdict in the defendants favor on all claims. Please proceed to the end of the Verdict Form and have the foreperson sign in the Punitive Damages 10. In addition to any compensatory damages you have awarded plaintiffs, which compensate them for damages they and Mr. Lazo actually suffered, do you find that one or more of the defendants should pay punitive damages? If so, please state the amount. JOHN NEWTON JAMES SCIMONE WILLIAM JUDGE CHRISTOPHER TALT JOSEPH LINK NO JOSEPH LINK NO You have completed your deliberations. The Foreperson should date and sign below. Then you should advise the Court that you have completed your deliberations.				
JOSEPH LINK COUNTY OF SUFFOLK YES NO	WILLIAM JUDGE		YES	NO
COUNTY OF SUFFOLK YES	CHRISTOPHER TA	LT	YES	NO
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August , 2023	should advise the Court that you have	completed your deliberat	ions.	
Foreperson	± *	Signed	:	
			Foreperso	n

JAMES SCIMONE

YES _____ NO____